IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICANTION NO. 2129 OF 2006

Mr. Jairaj Megharajaji Jadeja ..... Applicant

Versus

The State of Maharashtra ..... Respondent

Mr. V.M. Thorat, Advocate for the Applicant

Mr. K.V. Saste, APP for the Respondent

CORAM : R.S. MOHITE, J.

DATE : 26TH JUNE, 2006

P.C.

. This is an application for grant of bail. The applicant is shown as an accused in C.R. No. 1/2006 registered at Matheran Police Station for offences under Sections 302, 498-A r/w 34 of Indian Penal Code. The present applicant had gone along with his wife Shilpa to Matheran, a picnic spot. The applicant and his wife after having lunch went to sunset point, where the applicant's wife Shilpa fell in the steep valley and died. Police have recorded statement of Sandwich Vendor namely Naresh Parshuram Dabhekar who claims to

have seen the couple at Sunset point. Later on he saw the applicant running back in a confused state and the applicant informed him that his wife fallen into the valley. This witness referred him to one Ashok Dalvi. His statement indicates that applicant came to him crying and informed him his wife has fallen in the steep valley. There is nothing to indicate that they had a quarrel prior to the incident. The statement of the sandwich vendor also indicates that they had come to the same place together on earlier date. Prima facie possibility of accident cannot be ruled out at this stage. I am informed that the complainant does not wish to proceed with the case. Taking overall view, it is therefore directed that pending the trial in pursuance of C.R. No. 1/2006 registered with Matheran Police Station, applicant may be released on bail of Rs.10,000/- with one surety in the like amount subject to the condition that he should report to the Investigation Officer, Matheran Police Station once a month on every first Monday till the completion of trial. Application is disposed off.

(R.S. MOHITE, J.)